

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

HOWARD ATKINS,

Petitioner,

vs.

TONY PARKER,

Respondent.

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No. 09-2297-STA/tmp

ORDER DENYING MOTION FOR EXTENSION TO FILE TRAVERSE AS MOOT
(DOCKET ENTRY 14)
AND
ORDER DENYING MOTION TO PRODUCE AUDIO TAPES

On May 13, 2009, Petitioner Howard Atkins, Tennessee Department of Correction prisoner number 327480, an inmate at the Northwest Correctional Complex ("NWCX"), Site 2, in Tiptonville, Tennessee, filed a pro se petition pursuant to 28 U.S.C. § 2254 and paid the filing fee. (Docket Entries ("D.E.") 1, 2.) On September 2, 2009, the Court directed the Respondent to respond to the petition and file the state court record. (D.E. 4.) On November 12, 2009, the response was filed and on November 20, 2009, the state court record was filed. (D.E. 13; D.E. 15.)

On November 19, 2009, Petitioner Atkins filed a motion for an extension of time to file a traverse. (D.E. 14.) On December 14, 2009, Petitioner filed the traverse. The pending motion for an extension of time (D.E. 14) is DENIED as MOOT because Petitioner's

traverse was timely-filed and will be considered by the Court in its determination.

On December 14, 2009, Petitioner filed a motion for production of audio tapes of his juvenile transfer hearing. Should the Court determine that additional materials relating to the petition are required in this proceeding, it will direct the parties to expand the record pursuant to Rule 7 of the Rules Governing Section 2254 Proceedings. The motion (D.E. 16) is DENIED.

IT IS SO ORDERED this 7th day of January, 2010.

s/ S. Thomas Anderson
S. THOMAS ANDERSON
UNITED STATES DISTRICT JUDGE